# STATE OF WASHINGTON DEPARTMENT OF FINANCIAL INSTITUTIONS SECURITIES DIVISION

IN THE MATTER OF DETERMINING Whether there has been a violation of the Securities Act of Washington by:

EAST-WEST INVESTMENT CORPORATION; WASHINGTON STOCKS AND CURRENCY INVESTMENT CORPORATION; VIET V. DANG, its agents and employees,

Respondents

SDO -068- 01

ENTRY OF FINDINGS OF FACT AND CONCLUSIONS OF LAW AND FINAL ORDER TO CEASE AND DESIST

Case No. 01-05-204

THE STATE OF WASHINGTON TO: East-West Investment Corporation

Washington Stocks and Currency Investment Corporation

Viet V. Dang 3551 122<sup>nd</sup> Ave. SE Bellevue, WA 98006

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On June 29, 2001, the Securities Administrator of the State of Washington issued a Summary Order to Cease and Desist, SDO-049-01, herein referred to as the Summary Order, to East-West Investment Corporation, Washington Stocks and Currency Investment Corporation and Viet V. Dang.

The Summary Order, together with a Notice of Opportunity to Defend and Opportunity for Hearing (hereinafter referred to as "Notice of Opportunity for Hearing") and an Application for Adjudicative Hearing (hereinafter referred to as "Application for Hearing") were personally served on Viet V. Dang on August 10, 2001. Viet V. Dang has held himself out as East-West Investment Corporation and Washington Stocks and Currency Investment Corporation. The Notice of Opportunity for Hearing advised Viet V. Dang, doing business as East-West Investment Corporation and Washington Stocks and Currency Investment Corporation that he had twenty days from the date he received the notice to file a written application for an administrative hearing on the Summary Order.

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FINAL ORDER TO CEASE AND DESIST

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Viet V. Dang returned the Application for Hearing form to the Securities Division indicating that he was both requesting a hearing and not requesting a hearing. When asked for clarification Viet V. Dang stated that he was not requesting a hearing.

The Securities Administrator therefore will adopt as final the findings of fact and conclusions of law as set forth in the Summary Order.

#### FINDINGS OF FACT

## I. Respondents

- East-West Investment Corporation, an unincorporated business entity, has a principal business address of 3551 122<sup>nd</sup> Avenue SE, Bellevue, Washington.
- 2. Washington Stocks and Currency Investment Corporation, a Washington corporation, has a principal business address of 3551 122<sup>nd</sup> Avenue SE, Bellevue, Washington.
- Viet V. Dang is a principal in both East-West Investment Corporation and Washington Stocks and Currency Investment Corporation.

# II. Offering

- 4. In April of 2001 the Seattle, Washington weekly newspaper Nguoi Viet Tay Bac ran, for four consecutive weeks, an advertisement placed by Dang. The Advertisement promotes a "safe savings program (CD)" with a return on the investment ranging from twelve (12) to twenty-two (22) percent per year, depending upon the amount of the investment.
- 5. The advertisement implies that East-West is a member of the Federal Deposit Insurance Corporation (FDIC) because the FDIC logo is on the advertisement. The FDIC was established to promote stability and confidence in the banking industry. To be a member of the FDIC a financial institution must maintain certain financial and solvency requirements, which are audited by the FDIC. Additionally, Certificates of Deposits and savings accounts at

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FDIC member financial institutions are insured up to \$100,000 per investor per institution. Neither East-West nor Washington Stocks and Currency are members of the FDIC.

- 6. The advertisement also states "\$10 million dollars insured #29730". The number 29730 is the FDIC membership number of Indy Mac Bank of Pasadena, California. Indy Mac Bank does not, and has not, had a businesses relationship with Dang, East-West or Washington Stocks and Currency. Prior to placing the advertisement in the newspaper, Dang contacted Indy Mac Bank requesting information regarding opening a Certificate of Deposit account at the Bank. Indy Mac sent the respondent information regarding the opportunity. Included in this information was the banks FDIC membership number. On at least one occasion a person contacted Indy Mac to inquire about the investments advertised by Dang.
- 7. The advertisement states that East-West's Unified Business Identifier (UBI) is 602-104099 and its Employer Identification Number (EIN) is 91-2110253. Both of these numbers are registered to Washington Stocks and Currency.

# III. Registration Status

- 8. Neither East-West nor Washington Stocks and Currency is currently registered to sell its securities in the state of Washington and neither has previously been so registered.
- 9. Viet V. Dang is not currently registered as a securities salesperson or broker-dealer in the state of Washington and has not previously been so registered.

#### CONCLUSIONS OF LAW

## I. Securities

10. The offer and/or sale of the investment opportunities as described in section II of the Findings of Fact constitutes the offer and/or sale of a security as defined in RCW 21.20.005 (10) and (12).

# II. Registration of Securities

11. The offer and/or sale of said securities is in violation of RCW 21.20.140, the registration section of The Securities Act, because no registration for such offer and/or sale is on file with the Securities Administrator of the state of Washington.

#### III. Anti-Fraud Provision

12. The offer and/or sale of said securities was made in violation of RCW 21.20.010 because, as set forth in section II of the Findings of Fact, Respondent omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

# IV. Registration of Broker-Dealer and Salespersons

13. Respondent Viet V. Dang has violated RCW 21.20.040 by offering and/or selling said securities while not being registered as a broker-dealer or securities salesperson in the state of Washington.

#### **ORDER**

Based upon the above Findings of Fact and Conclusions of Law, it is hereby ODERED that Respondents, East-West Investment Corporation, Washington Stock and Currency Investment Corporation, Viet V. Dang, their agents, and employees shall each cease and desist from violating RCW 21.20.010, the anti-fraud section of the Securities Act.

It is further ORDERED that Respondents, East-West Investment Corporation, Washington Stock and Currency Investment Corporation, Viet V. Dang, their agents, and employees shall each cease and desist from violating RCW 21.20.140, the securities registration section of the Securities Act.

It is further ORDERED that Respondents, East-West Investment Corporation, Washington Stock and Currency Investment Corporation, Viet V. Dang, their agents, and employees shall each cease and desist from violating RCW 21.20.040, the securities broker-dealer, securities salesperson registration section of the Securities Act.

FINAL ORDER TO CEASE AND DESIST

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This Order is entered pursuant to RCW 21.20.390 and is subject to the provisions of ch. 34.05 RCW. 1 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE. 2 DATED this 17th day of September, 2001. 3 Dabonh R Borbner 4 5 DEBORAH R. BORTNER б Securities Administrator 7 Approved By: Presented by: 8 9 Michael E. Stevenson Tyler Letey Staff Attorney 10 Chief of Compliance 11 12 13 14 15 16 17 18 19 20 21 22 23 24 FINAL ORDER TO CEASE AND DESIST DEPARTMENT OF FINANCIAL INSTITUTIONS 5 **Securities Division** 

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